

05-08-08

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Express Mail Label No.: EV 869875646 US

Attorney Docket No.: 20712-501CON

Date of Deposit: May 6, 2008

PTO/SB/21 (01-08)

Approved for use through 02/29/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

11

Application Number

10/728,340

Filing Date

December 4, 2003

First Named Inventor

Dale M. Edgar

Art Unit

1625

Examiner Name

Celia C. Chang

Attorney Docket Number

20712-501CON

ENCLOSURES (Check all that apply)☐

Fee Transmittal Form

☐

Fee Attached

☐

Amendment/Reply

☐

After Final

☐

Affidavits/declaration(s)

☐

Extension of Time Request

☐

Express Abandonment Request

☐

Information Disclosure Statement

☐

Certified Copy of Priority Document(s)

☐Reply to Missing Parts/
Incomplete Application☐Reply to Missing Parts
under 37 CFR 1.52 or 1.53☐

Drawing(s)

☐

Licensing-related Papers

☐

Petition

☐Petition to Convert to a
Provisional Application☐

Power of Attorney, Revocation

☐

Change of Correspondence Address

☐

Terminal Disclaimer

☐

Request for Refund

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CD, Number of CD(s) _____

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Landscape Table on CD

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After Allowance Communication to TC

☐Appeal Communication to Board
of Appeals and Interferences☐Appeal Communication to TC
(Appeal Notice, Brief, Reply Brief)☐

Proprietary Information

☐

Status Letter

☒Other Enclosure(s) (please identify
below):Request for Certificate of Correction; 2 pages
Form PTO-1050 (in duplicate); and
Return Postcard.

Remarks

Certificate

MAY 12 2008

of Correction

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. (Customer No. 30623)

Signature

Printed name

Jennifer L. Loebach

Date

May 6, 2008

Reg. No.

57,977

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

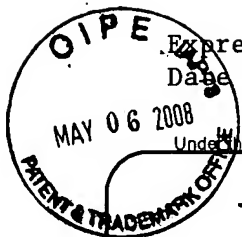
Date

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Request for Certificate of Correction; 2 pages Form PTO-1050 (in duplicate); and Return Postcard.
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C. (Customer No. 30623)		
Signature			
Printed name	Jennifer L. Loebach		
Date	May 6, 2008	Reg. No.	57,977

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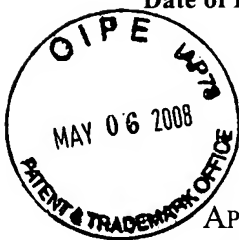
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COPY



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Dale M. Edgar et al.

EXAMINER: Celia C. Chang

PATENT No.: US 7,317,026 B2

APPLICATION No.: 10/728,340

ISSUE DATE: January 8, 2008

FILING DATE: December 4, 2003

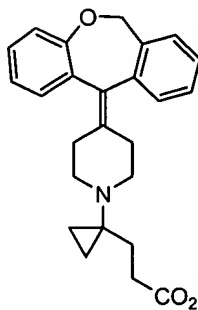
FOR: CNS TARGET MODULATORS

ATTN: Certificate of Correction Branch
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR CERTIFICATE OF CORRECTION UNDER 37 CFR § 1.322

The undersigned respectfully submits, on behalf of the Applicants, this request for correction. The Applicants wish to request a Certificate of Correction pursuant to 37 C.F.R. §1.322 to correct errors made by the United States Patent and Trademark Office.

The Applicants respectfully request the issuance of a Certificate of Correction in the above-identified Letters Patent to correct the following errors. The requested corrections are changes that would not constitute new matter or require reexamination.



1. In claim 10, the chemical structure: “
of the issued patent should be deleted. Applicants’ amendment filed on December 6, 2006
deleted the structure from claim 16 (now issued claim 10).

2. In claim 11, column 154, Applicants request corrections to the following misspelled words:

line 50, "methyihydroxy" should be changed to --methylhydroxy--;

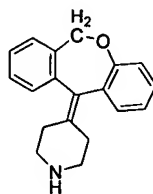
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line 54, "dimethylaniinocarbonylmethyloxy" should be changed to --dimethylaminocarbonylmethyloxy--; and
line 57, and "1-dimethylaniinocarbonyl-1-" should be changed to --1-dimethylaminocarbonyl-1--.
These words were spelled correctly in original claim 17 in Applicants' claim amendments filed on May 1, 2007 and July 26, 2007.

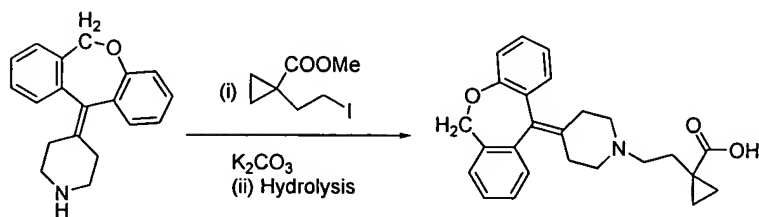
3. Also in column 154, Applicants request that in lines 62-63, "; and X₁ is -Q-" should be deleted and in line 45, "heterocycle;" should be changed to --heterocycle; and--. These amendments are necessary because in issued claim 11, the variable "X₁" in the chemical formula was replaced with oxygen. As such, claim 11 no longer contains the variable X₁.

4. In column 156, Applicants request that in lines 38-39, "; and X₁ is -O-" should be deleted and in line 20, "ring;" should be changed to --ring; and--. These amendments are necessary because in issued claim 14, the variable "X₁" in the chemical formula was replaced with oxygen. As such, claim 14 no longer contains the variable X₁.

5. Applicants request correction of Scheme 14. Scheme 14 in column 134, lines 15-25 of

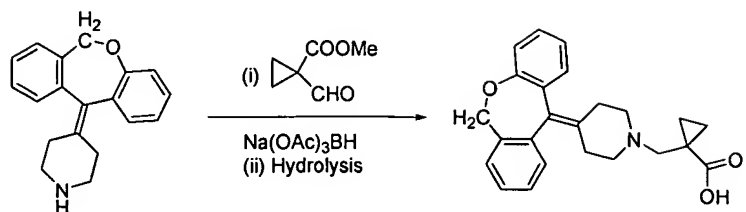


the issued patent does not clearly show that the compound: undergoes two separate chemical reactions to produce two separate products. The first chemical reaction is:

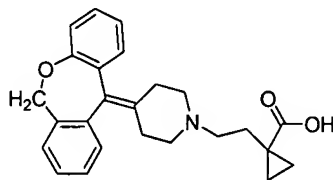


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The second chemical reaction is:

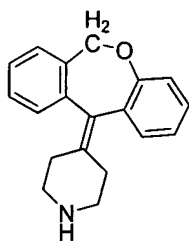


. Support for the correction is found on page 90 of the as-filed application and in Applicants' Amendment After Allowance filed, August 28, 2007 and accepted, December 3, 2007. Accordingly, Applicants request the following



correction: Column 134, lines 15-25, insert after

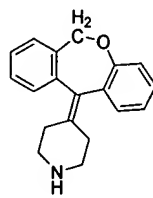
the



following: --;

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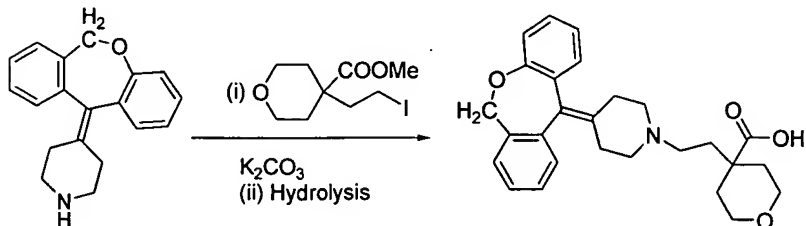
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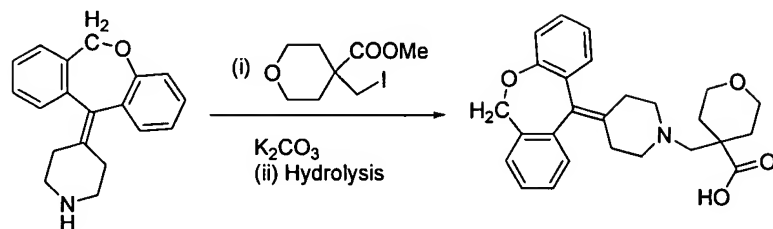
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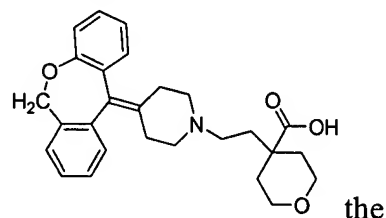
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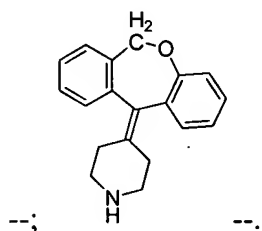


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REMARKS

The Applicants believe the requirements for a certificate of correction have been met herein and respectfully request issuance of same. Should the Certificates Branch wish to discuss Applicants' request, the Certificates Branch is invited to telephone the undersigned attorney at 617/542-6000.

No fees are believed due in connection with this submission, however, the Commissioner is hereby authorized to charge any additional fees due, or credit any overpayment of same, to Deposit Account No. 50-0311; Reference No. 20712-501CON. A duplicate copy of this request is enclosed for this purpose.

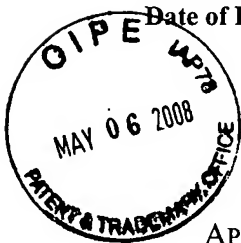
Respectfully submitted

for: Jennifer Lobat Reg # 57,977
Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicant
c/o MINTZ LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No. 30623

Dated: May 6, 2008

4316861v.1

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

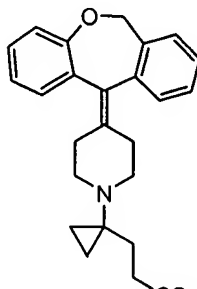
APPLICANTS: Dale M. Edgar et al. EXAMINER: Celia C. Chang
PATENT NO.: US 7,317,026 B2 APPLICATION NO.: 10/728,340
ISSUE DATE: January 8, 2008 FILING DATE: December 4, 2003
FOR: CNS TARGET MODULATORS

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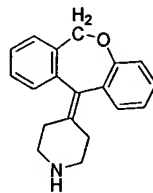
COPY

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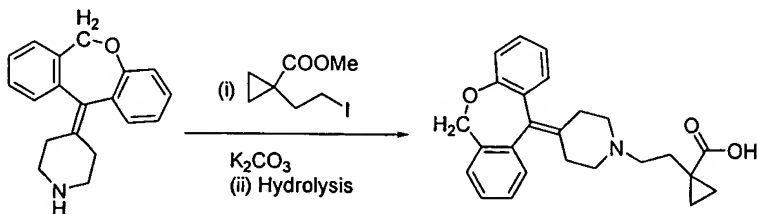
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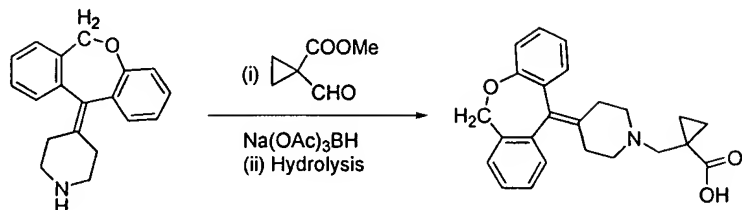
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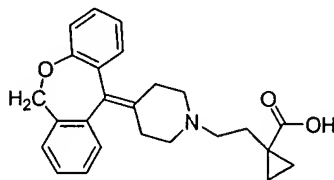
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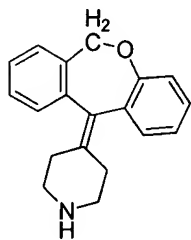


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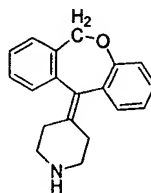
the



following: --;

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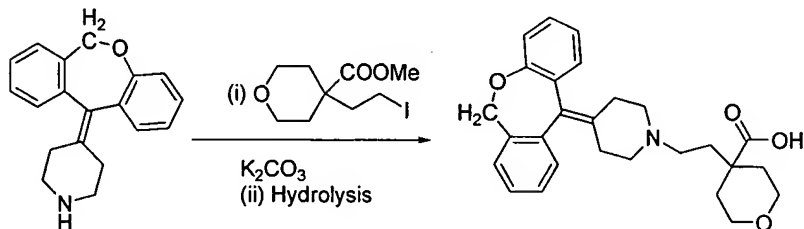
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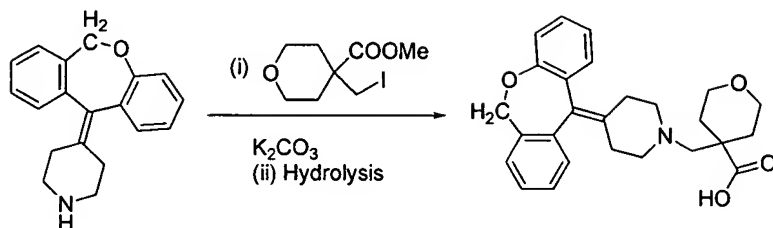
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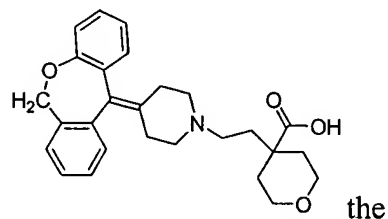
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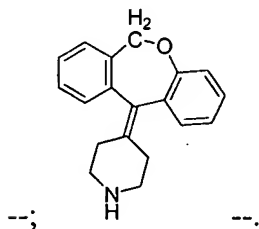
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Respectfully submitted

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Ivor R. Elrifi, Reg. No. 39,529
Attorney for Applicant
c/o MINTZ LEVIN
Tel: (617) 542-6000
Fax: (617) 542-2241
Customer No. 30623

Dated: May 6, 2008

4316861v.1

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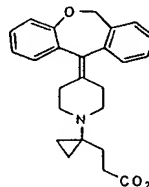
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UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

Page 1 of 2

PATENT NO. : 7,317,026
APPLICATION NO.: 10/728,340
ISSUE DATE : January 8, 2008
INVENTOR(S) : Dale M. Edgar et al.

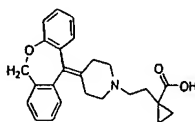
It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



Column 152, lines 18-35, delete the chemical structure: "

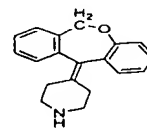
Column 154, line 45, "heterocycle;" should be changed to --heterocycle; and--; line 50, "methyihydroxy" should be changed to --methylhydroxy--; line 54, "dimethylaniinocarbonylmethyloxy" should be changed to --dimethylaminocarbonylmethyloxy--; line 57, "1-dimethylaniinocarbonyl-1-" should be changed to --1-dimethylaminocarbonyl-1---; lines 62-63, "; and X₁ is -Q-" should be deleted.

Column 156, line 20, "ring;" should be changed to --ring; and--; lines 38-39, "; and X₁ is -O-" should be deleted.



Column 134, lines 15-25, insert after

the following: --;



--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Ivor R. Elrifi, Ph.D., Esq.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center, Boston, MA 02111

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 2 of 2

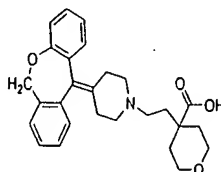
PATENT NO. : 7,317,026

APPLICATION NO.: 10/728,340

ISSUE DATE : January 8, 2008

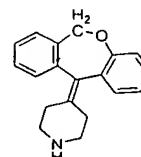
INVENTOR(S) : Dale M. Edgar et al.

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Ivor R. Elrifi, Ph.D., Esq.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center, Boston, MA 02111

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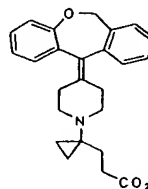
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PATENT NO. : 7,317,026
APPLICATION NO.: 10/728,340
ISSUE DATE : January 8, 2008
INVENTOR(S) : Dale M. Edgar et al.

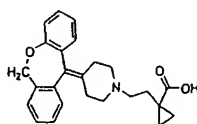
It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



Column 152, lines 18-35, delete the chemical structure: "

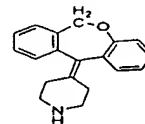
Column 154, line 45, "heterocycle;" should be changed to --heterocycle; and--; line 50, "methyihydroxy" should be changed to --methylhydroxy--; line 54, "dimethylaniinocarbonylmethyloxy" should be changed to --dimethylaminocarbonylmethyloxy--; line 57, "1-dimethylaniinocarbonyl-1-" should be changed to --1-dimethylaminocarbonyl-1---; lines 62-63, "; and X₁ is -Q-" should be deleted.

Column 156, line 20, "ring;" should be changed to --ring; and--; lines 38-39, "; and X₁ is -O-" should be deleted.



Column 134, lines 15-25, insert after

the following: --;



--.

MAILING ADDRESS OF SENDER (Please do not use customer number below):

Ivor R. Elrifi, Ph.D., Esq.
Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.
One Financial Center, Boston, MA 02111

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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UNITED STATES PATENT AND TRADEMARK OFFICE CERTIFICATE OF CORRECTION

Page 2 of 2

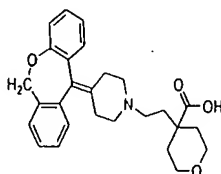
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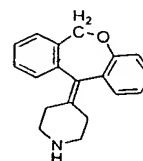
INVENTOR(S) : Dale M. Edgar et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:



Column 135, lines 23-32, insert after

the following: --;



--.

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